



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, MAY 31, 2018 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with prayer said by the Speaker.
3. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication from the Chair:-

Visiting Students from Rongai Agricultural Technical School, Nakuru County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Rongai Agricultural Technical School, Nakuru County.

On behalf of the Senate and on my own behalf, I welcome you to the Senate and wish you well for the remainder of your stay.

I thank you.”

4. **PETITIONS**

The Speaker presented the following Petitions to the Senate-

- a) Petition by the Governor and Officers of the Uasin Gishu County Government regarding the status of and funding for the Moi Teaching and Referral Hospital in Uasin Gishu County**

Pursuant to Standing Order 220(1) (a) and 224(2) (b), the Speaker reported to the Senate that a petition had been received from the Governor and Officers of the Uasin Gishu County Government regarding the status of and funding for the Moi Teaching and Referral Hospital.

Quorum in the House

Rising on a Point of Order, the Senator for Kitui County (Sen. Enoch Wambua) drew the attention of the Speaker to the fact that there was no Quorum in the Senate;

And the Speaker having counted the Honourable Senators present and confirmed that there was no Quorum caused the Division Bell to be rung for fifteen minutes;

And there being a Quorum after expiry of three minutes;

Pursuant to Standing Order 225, the Speaker invited Senators to comment on the Petition and subsequently, committed the Petition to the Standing Committee on Health, pursuant to Standing Order 226.

b) Petition on the land owned by Multinationals in Kericho and Bomet Counties

Pursuant to Standing Order 220(1) (a) and 224(2) (b), the Speaker reported to the Senate that a petition had been received from three residents of Kericho and Bomet County Governments regarding the land owned by Multinationals in Kericho and Bomet Counties.

Pursuant to Standing Order 225, the Speaker invited Senators to comment on the Petition and subsequently, committed the Petition to the Standing Committees on Land, Environment and Natural Resources; and Justice, Legal Affairs and Human Rights pursuant to Standing Order 226.

c) Petition concerning the CBA negotiation stalemate by the Kenya Union of Clinical Officers

Pursuant to Standing Order 220(1) (a) and 224(2) (b), the Speaker reported to the Senate concerning the CBA negotiation stalemate by the Kenya Union of Clinical Officers.

Pursuant to Standing Order 225, the Speaker invited Senators to comment on the Petition and subsequently, committed the Petition to the Standing Committee Health, pursuant to Standing Order 226.

5. PAPERS LAID

The following papers were laid on the Table of the Senate-

- (i) Report of the Auditor-General on the Financial Statements of Marsabit County Executive Committee Members Car Loan Scheme for the year ended 30th June 2017.
- (ii) Report of the Auditor-General on the Financial Statements of Marsabit County Executive Mortgage Scheme for the year ended 30th June 2017.
- (iii) Annual Corporate Report of the Office of the Auditor-General for the financial year 2016/2017.
- (iv) The Kenya National Bureau of Statistics (KNBS) 2018 Economic Survey.
- (v) The Ethics and Anti-Corruption Commission (EACC) Report on the 2016 National Ethics and Corruption Survey.

(The Senate Majority Whip)

- (vi) Report by the Committee on Labour and Social Welfare on the County Governments Retirement Scheme Bill (Senate Bills No. 6 of 2018).

(Chairperson, Standing Committee on Labour and Social Welfare)

6. **NOTICE OF MOTION**-(Sen. (Dr.) Isaac Mwaura)

THAT, RECALLING that, in December 2003, Kenya became the first country in the world to sign and ratify the United Nations Convention against Corruption (UNCAC);

AWARE that, since then, Kenya has put in place robust laws and regulations, to prevent, combat and punish corruption; among them the Anti-Corruption and Economic Crimes Act (2003), the Public Officers Ethics Act (2003), the Witness Protection Act (2006); the Proceeds of Crime and Anti-Money Laundering Act (2009), the Leadership and Integrity Act (2012), the Election Campaign Financing Act (2013), the Public Procurement and Asset Disposal Act (2015), the Bribery Act (2016), and the Access to Information Act (2016);

FURTHER AWARE that, Kenya has established various institutions and agencies tasked with spearheading and coordinating the fight against corruption; among them the Ethics and Anti-Corruption Commission (EACC), the Director of Public Prosecutions (DPP), and the Directorate of Criminal Investigations (DCI);

CONCERNED that, despite these efforts, corruption remains the greatest challenge to Kenya's socio-economic development, including the attainment of the Big Four Agenda for Kenya's development, Kenya's Vision 2030, the African Union's Agenda 2063, and the United Nations Sustainable Development Goals (SDGs);

RECALLING that, during the State of the Nation Address to Parliament on 2nd May, 2018, H.E. the President urged Parliament to help design the legal tools needed to help win the fight against corruption;

NOW THEREFORE, the Senate resolves that the Standing Committee on Justice, Legal Affairs and Human Rights do undertake a comprehensive review of the relevant policy and legislative framework on the fight against corruption in Kenya, and propose measures to be undertaken, including amendments to the existing legislation, to strengthen the fight against corruption; and that the Committee do table its Report within sixty days.

7. **STATEMENT PURSUANT TO STANDING ORDER 46 (2) (C)**

The Senate Majority Whip issued a statement on the business of the Senate for the week commencing Tuesday, 5th June, 2018.

8. **MOTION – REVIEW OF POLICY AND LEGISLATIVE FRAMEWORK ON THE FIGHT AGAINST CORRUPTION**

Motion made and Question proposed:-

THAT, RECALLING that, in December 2003, Kenya became the first country in the world to sign and ratify the United Nations Convention against Corruption (UNCAC);

AWARE that, since then, Kenya has put in place robust laws and regulations, to prevent, combat and punish corruption; among them the Anti-Corruption and Economic Crimes Act (2003), the Public Officers Ethics Act (2003), the Witness Protection Act (2006); the Proceeds of Crime and Anti-Money Laundering Act (2009), the Leadership and Integrity Act (2012), the Election Campaign Financing Act (2013), the Public Procurement and Asset Disposal Act (2015), the Bribery Act (2016), and the Access to Information Act (2016);

FURTHER AWARE that, Kenya has established various institutions and agencies tasked with spearheading and coordinating the fight against corruption; among them the Ethics and Anti-Corruption Commission (EACC), the Director of Public Prosecutions (DPP), and the Directorate of Criminal Investigations (DCI);

CONCERNED that, despite these efforts, corruption remains the greatest challenge to Kenya's socio-economic development, including the attainment of the Big Four Agenda for Kenya's development, Kenya's Vision 2030, the African Union's Agenda 2063, and the United Nations Sustainable Development Goals (SDGs);

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(Sen. (Dr.) Isaac Mwaura)

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put and pursuant to Standing Order 73, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion did not affect Counties.

Question put and agreed to.

RESOLVED ACCORDINGLY-

THAT, RECALLING that, in December 2003, Kenya became the first country in the world to sign and ratify the United Nations Convention against Corruption (UNCAC);

AWARE that, since then, Kenya has put in place robust laws and regulations, to prevent, combat and punish corruption; among them the Anti-Corruption and Economic Crimes Act (2003), the Public Officers Ethics Act (2003), the Witness Protection Act (2006); the Proceeds of Crime and Anti-Money Laundering Act (2009), the Leadership and Integrity Act (2012), the Election Campaign Financing Act (2013), the Public Procurement and Asset Disposal Act (2015), the Bribery Act (2016), and the Access to Information Act (2016);

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And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Judith Pareno) adjourned the Senate without Question put, pursuant to the Standing Orders.

9. **SENATE ROSE** – at thirty minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, June 05, 2018 at 2.30 p.m.*

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